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BUSINESS MACHINES CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

RSI CORP., dba RESPONSIVE SYSTEMS  
COMPANY, a New Jersey corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION; and DOE DEFENDANTS  
1-20,

Defendants.

CASE NO. 5:08-cv-3414 (RMW/HRL)

**STIPULATION FOR ORDER OF  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

Crtrm.: 6, 4th Floor  
Judge: Hon. Ronald M. Whyte

Filing Date: February 15, 2008  
Trial Date: None

WHEREAS, a Case Management Conference is scheduled in this case for December 17, 2010 at 10:30 a.m.

WHEREAS, since the last Case Management Conference in July 2010, the parties have continued to work toward a resolution of the case by exchanging documents. The parties also entered into a Protective Order with respect to documents exchanged during discovery.

WHEREAS, the parties have not yet been able to schedule a mediation of the disputes between them because they need to exchange further documentation and take the depositions of Rule 30(b)(6) witnesses before participation in mediation would be meaningful.

WHEREAS, the parties submit that they are continuing to exchange documents with the aim toward resolution of the case.

WHEREAS, the parties submit that the currently scheduled Case Management Conference would be of little benefit to the Court or the parties, and the parties agree that a Case Management Conference scheduled approximately 90 days later would be appropriate.

It is therefore stipulated between the Parties that, subject to the approval of the Court, the Case Management Conference currently scheduled for December 17, 2010, should be continued to March 18, 2011 or the next available date thereafter on the Court's calendar.

Dated: December 7, 2010

SEVERSON & WERSON

By: 

Forrest Booth  
Attorneys for Plaintiff RSI CORP.

Dated: December 7, 2010


QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: 

Shon Morgan  
Attorneys for Defendant INTERNATIONAL  
BUSINESS MACHINES CORPORATION

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: This 15 day of December, 2010

  
Hon. Ronald M. Whyte